

Docket No: **L0461.70073US01**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ali O. Gure et al.  
Serial No.: Not yet assigned  
Filing Date: Herewith  
For: SMALL CELL LUNG CANCER ASSOCIATED ANTIGENS AND  
USES THEREFOR

Examiner: Unknown  
Art Unit: 1611

**Mail Stop Patent Application**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed within three months of the filing date of the entry of the National Stage, as set forth in 37 C.F.R. §1.491, in an International application.

No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant would like to bring to the Examiner's attention the enclosed search report from a corresponding International or Foreign National Application.

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,  
*Gure, et al., Applicant*

  
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FORM PTO-1449/A and B (Modified)  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				APPLICATION NO.: <b>not yet assigned</b>		DOCKET NO.: <b>L0461.70073US01</b>	
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**U.S. PATENT DOCUMENTS**

Examiner's Initials#	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
	*A1	5,698,396	A1	Pfreundschuh	12-16-1997

**FOREIGN PATENT DOCUMENTS**

Examiner's Initials#	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
	*B1	WO	95/03422	A1	Ludwig Institute for Cancer Research	02-02-1995	
	*B2	WO	99/60160	A1	Diadexus LLC	11-25-1999	
	*B3	WO	99/57438	A1	Ludwig Institute for Cancer Research	10-28-1999	

**OTHER ART — NON PATENT LITERATURE DOCUMENTS**

Examiner's Initials#	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
	*C1	STEVANOVIC, M. ET AL., <i>Mammalian Genome</i> 5:640-642 (1994)	
	*C2	COLLIGNON, J. ET AL., <i>Development</i> 122:509-520 (1996)	
	*C3	GRAUS, F. ET AL., <i>Journal of Clinical Oncology</i> 15:2866-2872 (1997)	
	*C4	JOHNSON, L. ET AL., <i>Molecular Reproduction and Development</i> 50:377-386 (1998)	
	*C5	MALAS, S. ET AL., <i>Mammalian Genome</i> 10:934-937 (1999)	
	*C6	OHWADA, A. ET AL., <i>Am. J. of Respir. Cell and Mol. Biol.</i> 21:37-43 (1999)	
	*C7	GRAHAM, J.D. ET AL., <i>Journal of Molecular Endocrinology</i> 22:295-304 (1999)	
	*C8	MANDA, R. ET AL., <i>Genomics</i> 61:5-14 (1999)	
	*C9	SCANLAN, M. ET AL., <i>Int. J. Cancer</i> 83:456-464 (1999)	
	*C10	GURE, A. ET AL., <i>Proc. Natl. Acad. Sci. USA</i> 97:4198-4203 (2000)	
	*C11	SAHIN ET AL., <i>Proc. Natl. Acad. Sci USA</i> 92:11810-11813 (1995)	
	*C12	CHEN ET AL., <i>Proc. Natl. Acad. Sci. USA</i> 94:1914-8 (1997)	
	*C13	CARNEY ET AL., <i>Cancer Res.</i> 45:2913-2923, 1985	

EXAMINER	DATE CONSIDERED
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#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

\*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. 09/489,101 , filed January 21, 2000 , and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

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	*C14	PARK et al., <i>Cancer Res.</i> 47:6710-6718 (1987)		
	*C15	OLD and CHEN, <i>J. Exp. Med.</i> , 187:1163-7 (1998)		
	*C16	CHEN et al., <i>Proc. Nat'l. Acad. Sci. USA</i> , 95: 6919-23 (1998)		
	*C17	SCANLAN et al., <i>Int. J. Cancer</i> 76:652-658 (1998)		
	*C18	RIECHMANN et al., <i>Nucleic Acids Res.</i> 22: 749-755 (1994)		
	*C19	SHOJI et al., <i>J. Biol. Chem.</i> , 270:24818-25 (1995)		
	*C20	MATSUMOTO-TANIURA et al. <i>Mol. Biol. Cell</i> , 7: 1455-69 (1996)		
	*C21	TRIEBEL et al., <i>J. Exp. Med.</i> , 171: 1393-1405 (1990)		
	*C22	STOCKERT et al., <i>J. Exp. Med.</i> 187:1349-1354 (1998)		
	*C23	DALMAU & POSNER, <i>Arch. Neurol.</i> 56:405-408 (1999)		
	*C24	POSNER & DALMAU, <i>Curr. Opin. Immunol.</i> 9:723-729 (1997)		
	*C25	CARPENTIER et al., <i>Clin. Cancer Res.</i> 4:2819-2824 (1998)		
	*U	Stevanovic, M. Genbank Acc. No. Z31560. "H. Sapiens sox-2 mRNA (partial)", base pairs 1-500, 28 July 1995.		
	*V	Malas S. Genbank Acc. No. Y13436. "Homo sapiens sox1 gene", base pairs 1-500, 28 May 1997		
	*X	Kiesling, T.L. Genbank Acc. No. U28368. "Human ID-related helix-loop-helix protein Id4 mRNA, complete cds" base pairs 1-500, 3 August 1995.		

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	*U	BOSSONE, S.A. ET AL. GENBANK ACC. NO. M94046. "HUMAN ZINC FINGER PROTEIN (MAX) MRNA". BASE PAIRS 1-500. 27 APRIL 1993		
	*V	Matsumoto-Taniura, N. et al. Genbank Acc. No. X98260. "H. sapiens mRNA for M-phase phosphoprotein, mpp11". Base pairs 1-500. 8 January 1997.		
	*W	Asuru, A.I. et al. Genbank Acc. No. U23028. "Human eukaryotic initiation factor 2B-epsilon mRNA, partial cds." Base pairs 1-500. 22 August 1996.		
	*X	Amakawa, R. et. al. Genbank Acc. No. L07872. "Homo sapiens recombination signal binding protein (RBPJK) mRNA, partial cds." Base pairs 1-500, 1993		
	*U	Pardoll et al., Cancer vaccine, May 1998, Nature Medicine Vaccine Supplement, Vol. 4, No. 5, pages 525-531		
	*V	Malas, S. et al. Genbank Acc. No. AF107044. "Homo sapiens clone pCL4 DNA-binding protein SOX21 (SOX21) gene. complete cds." Base pairs 1-500. 13 December 1998		
	*W	Ohara, O. et al. Genbank Acc. No. AB023180. "Homo sapiens mRNA for KiAA0963 protein, complete cds." 16 June 1999.		
	*X	Triebel, F. et al., Genbank Acc. No. X51985. "Human LAG-3 mRNA for CD4-related protein involved in lymphocyte activation." 1990.		
	*U	Koehrer, K. et al. Genbank Acc. No. AL133561. "Homo sapiens mRNA, cDNA DKFZp434C196 (from clone DKFZp434C196). base pairs 1-500. 15 December 1999.		

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